IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTON

NOTICE OF MOTION NO. 1445 OF 2006

IN

SUIT NO. 2340 OF 2000

Dena Bank .....Plaintiffs.
vs.
Suddha Sharma and Ors. .....Defendants.

NOTICE OF MOTION NO. 1446 OF 2006

IN

SUIT NO. 2341 OF 2000

Dena Bank .....Plaintiffs.
vs.
Santosh Sharma and Ors. .....Defendants.

Mr.S.R. Shukla i/by. Shukla & Shukla

for the plaintiffs.

Mr.P.Shivan Raju for the defendants in support.

Ms. Yogini Gada i/by. Harakchand & Co.

for respondent no.1 and 2.

CORAM: S.J.VAZIFDAR, J.

24TH NOVEMBER, 2006.

P.C. :

1. By consent both the motions are placed on board and heard finally.

2. The Commissioner for Taking Accounts is ordered and directed to sell the suit property at the earliest. In regard to the sale he shall not entertain any objections from any of the parties. The parties before me agree and undertake not to obstruct the sale.

3. In the circumstances, both the Notice of Motions are made absolute in terms of prayer clause (a) except that the same shall not be by the Court Receiver but by the Commissioner for Taking Accounts. The Commissioner to submit a report on or before 8/12/2006 informing the court regarding the progress of the sale. The sale proceeds if any, shall remain in court subject to further orders.

4. Both the Notices of Motion are accordingly disposed off.

. All parties including the Commissioner to act

on authenticated copy of this order. sd/-

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